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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/659,292

09/11/2003

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EXAMINER

DUNCAN, MARC M

ART UNIT

PAPER NUMBER

2113

MAIL DATE

DELIVERY MODE

05/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/659,292

Applicant(s)

ITOH ET AL.

Examiner

Marc Duncan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,6-11,13,14,16-23 and 25-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,6-11,13,14,16-23 and 30 is/are rejected.
- 7) ☒ Claim(s) 1,3,6-11,13,14,16-23 and 25-31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 08/001,248.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of the Claims

Claims 10, 11, 13-14, 20-23 and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 3, 6-11, 13-14 and 16-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Allard et al. (5,432,946).

Claims 1, 3, 6-11, 13-14, 16-23 and 25-31 are objected to.

Claim Objections

Claims 1, 3, 6-11, 13-14, 16-23 and 25-31 are objected to because of the following informalities: each of the claims contains a section stating "...and not supplies power to said processing unit..." This is incorrect grammar and makes the claim appear to be a literal translation from another language. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 10, 11, 13-14, 20-23 and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 10 recites the limitation "the network connectable equipment" in line 17.

There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "said single power supply module" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 13 recites the limitations "said communication module" and "the network connectable equipment" in numerous lines of the claim. There is insufficient antecedent basis for these limitations in the claim.

Claim 20 ends in the middle of a list and appears to be incomplete, thus it would appear that claim 20 may be missing some intended limitations.

Claim 30 appears to either be missing a word or not be in proper English and therefore is indecipherable as to what applicant intends to claim.

Claim 30 recites the limitation "the reproduction of the work state" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 6-11, 13-14 and 16-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Allard et al. (5,432,946).

Regarding claim 1:

Allard teaches:

a processing unit (Fig. 3 – 32);

a single power supply module (Fig. 2 – 90, col. 7 lines 61-66);

a communication module for connecting with a network (Fig. 5 – 110 and col. 7 lines 29-31);

a power supply line for connecting said power supply module to said processing unit (col. 5 lines 39-43 – the power supply supplies power to the components and therefore a power supply line is necessarily present); and

a power control line for connecting said communication module and said power supply module (col. 7 lines 55-57),

wherein said single power supply module stops supplying electric power to the network connectable equipment other than said communication module if the network connectable equipment is in a power-off state (col. 7 lines 45-66),

wherein if said communication module receives frame data via said network (col. 8 lines 22-27), then said communication module determines whether the frame data is addressed to the network connectable equipment or not (col. 8 lines 22-27), and issues a power-on request to the single power supply module if the frame data is determined to be addressed to the network connectable equipment and the network connectable equipment is in the power-off state (col. 8 lines 27-35),

wherein the single power supply module receives said power-on request via said power control line (col. 8 lines 33-35), supplies power to said processing unit via said

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power supply line based on said power-on request (col. 8 lines 33-35) to cause the network connectable equipment to be in a power-on state (col. 8 lines 33-35), and not supplies power to said processing unit via said power supply line after said processing unit computer processing related to the frame data to cause the network connectable equipment to be in the power-off state (col. 7 lines 45-66 – the system clearly removes power at some point after processing of frames, thus the computer is in a dormant state at times).

Regarding claim 3:

Allard teaches:

wherein said power supply module comprises: a switch for turning on and off power supplied to said processing unit (Fig. 4 – 101 and col. 6 lines 58-68); and a switch controller for controlling the switch (Fig. 4 – 91,92 and col. 6 lines 58-68), wherein said switch controller supplies power to said power supply line based on said power power-on request by controlling said switch (col. 6 line 51-col. 7 line 8 and col. 8 lines 27-35).

Regarding claim 6:

Allard teaches:

wherein said power supply module supplies power to said communication module even if portions other than said communication module are in a power-off state (col. 7 lines 61-66).

Regarding claim 7:

Allard teaches:

a power control line (col. 7 lines 55-57);

a communication module connected to said power control line (Fig. 5 – 110 and col. 7 lines 29-31);

a power supply line (col. 5 lines 39-43 – the power supply supplies power to the components and therefore a power supply line is necessarily present);

a processing unit connected to said power supply line (Fig. 3 – 32 and col. 5 lines 39-43); and

a single power supply module (Fig. 2 – 90, col. 7 lines 61-66) connected to said power supply line and said power control line,

wherein said single power supply module stops supplying electric power to the network connectable equipment other than said communication module if the network connectable equipment is in a power-off state (col. 7 lines 45-66),

wherein if said communication module receives frame data via said network (col. 8 lines 22-27), then said communication module determines whether the frame data is addressed to the network connectable equipment or not (col. 8 lines 22-27), and issues a power-on request to the single power supply module if the frame data is determined to be addressed to the network connectable equipment and the network connectable equipment is in the power-off state (col. 8 lines 27-35),

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wherein the single power supply module receives said power-on request via said power control line (col. 8 lines 33-35), supplies power to said processing unit via said power supply line based on said power-on request (col. 8 lines 33-35) to cause the network connectable equipment to be in a power-on state (col. 8 lines 33-35), and not supplies power to said processing unit via said power supply line after said processing unit computer processing related to the frame data to cause the network connectable equipment to be in the power-off state (col. 7 lines 45-66 – the system clearly removes power at some point after processing of frames, thus the computer is in a dormant state at times).

Regarding claim 8:

Allard teaches:

wherein said single power supply module supplies power to said communication module even if portions other than said communication module are in a power-off state (col. 7 lines 61-66).

Regarding claim 9:

Allard teaches:

wherein said communication module receives a frame transmitted from another network connectable equipment connected to a network (col. 8 lines 22-27), discriminates if the received frame is destined to said network connectable equipment (col. 8 lines 22-27), and if the received frame is destined to said network connectable

equipment, transmits said power-on request to said power supply module via said power control line (col. 8 lines 27-35).

Regarding claim 10:

Allard teaches:

a communication module connected to said network (Fig. 5 – 110 and col. 7 lines 29-31);

a single power supply module for supplying power to said communication module (Fig. 2 – 90 and col. 7 lines 61-66);

a power supply control line connected to said communication module and said single power supply module (col. 7 lines 55-57);

a power supply line connected to said first equipment and said power supply module (col. 5 lines 39-43 – the power supply supplies power to the components and therefore a power supply line is necessarily present),

wherein said single power supply module stops supplying electric power to said first equipment other than said communication module if said first equipment is in a power-off state (col. 7 lines 45-66),

wherein if said communication module receives frame data via said network (col. 8 lines 22-27), then said communication module determines whether the frame data is addressed to said first equipment or not (col. 8 lines 22-27), and issues a power-on request to the single power supply module if the frame data is determined to be

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addressed to said first equipment and the network connectable equipment is in the power-off state (col. 8 lines 27-35),

wherein said power supply module enables power to be supplied to said first equipment in response to said power-on request via said power supply line (col. 8 lines 33-35) to cause said first equipment to be in a power-on state (col. 8 lines 33-35), and not supplies power to said processing unit via said power supply line after said processing unit computer processing related to the frame data to cause said first equipment to be in the power-off state (col. 7 lines 45-66 – the system clearly removes power at some point after processing of frames, thus the computer is in a dormant state at times).

Regarding claim 11:

Allard teaches:

A power supply module (Fig. 2 – 90), included in a network connectable equipment having a processing unit (Fig. 3 – 32) and a communication module (Fig. 5 – 110), comprising:

wherein said single power supply module is connectable to a power control line which is connected to said communication module and is connectable to a power supply line (col. 7 lines 55-57) which is connected to said processing unit (col. 5 lines 39-43 – the power supply supplies power to the components and therefore a power supply line is necessarily present),

wherein said single power supply module stops supplying electric power to the network connectable equipment other than said communication module if the network connectable equipment is in a power-off state (col. 7 lines 45-66),

wherein if said communication module receives frame data via said network (col. 8 lines 22-27), then said communication module determines whether the frame data is addressed to the network connectable equipment or not (col. 8 lines 22-27), and issues a power-on request to the single power supply module if the frame data is determined to be addressed to the network connectable equipment and the network connectable equipment is in the power-off state (col. 8 lines 27-35),

wherein when said power supply module receives said power-on request from said communication module via said power control line, said power supply module supplies power to said processing unit via said power supply line based on said power-on request (col. 8 lines 33-35), to cause the network connectable equipment to be in a power-on state (col. 8 lines 33-35), and not supplies power to said processing unit via said power supply line after said processing unit computer processing related to the frame data to cause the network connectable equipment to be in the power-off state (col. 7 lines 45-66 – the system clearly removes power at some point after processing of frames, thus the computer is in a dormant state at times).

Regarding claim 13:

Allard teaches:

a storage unit (Fig. 3 – 38);

a display unit (Fig. 1 – 11);

a network controller for connecting said information processing apparatus to a network (Fig. 5 – 110);

a processing unit for executing processing in accordance with contents of processing stored in said storage unit (Fig. 3 – 32);

a power supply controller for supplying said network controller with electric power even if said information processing apparatus remains in a power-off state (Fig. 2 – 90 and col. 7 lines 61-66),

wherein said power supply controller stops supplying electric power to the network connectable equipment other than said communication module if the network connectable equipment is in a power-off state (col. 7 lines 45-66),

wherein if said communication module receives frame data via said network (col. 8 lines 22-27), then said communication module determines whether the frame data is addressed to the network connectable equipment or not (col. 8 lines 22-27), and issues a power-on request to the single power supply module if the frame data is determined to be addressed to the network connectable equipment and the network connectable equipment is in the power-off state (col. 8 lines 27-35),

wherein said power supply controller receives said power-on request, supplies power to said processing unit via said power supply line based on said power-on request (col. 8 lines 33-35) to cause the network connectable equipment to be in a power-on state (col. 8 lines 33-35), and not supplies power to said processing unit via said power supply line after said processing unit computer processing related to the

frame data to cause the network connectable equipment to be in the power-off state (col. 7 lines 45-66 – the system clearly removes power at some point after processing of frames, thus the computer is in a dormant state at times).

Regarding claim 14:

Allard teaches:

wherein said network controller identifies whether the received frame is to turn said information processing apparatus to the power-on state (col. 8 lines 22-27).

Regarding claim 16:

Allard teaches:

a communication module for connecting with a network (Fig. 5 – 110);

a power supply line for connecting a single power supply module to a processing unit (col. 7 lines 55-57 and col. 5 lines 39-43 – the power supply supplies power to the components and therefore a power supply line is necessarily present); and

a power control line for connecting said single power supply module to said communication module (col. 7 lines 61-66),

wherein said single power supply module stops supplying electric power to the network connectable equipment other than said communication module if the network connectable equipment is in a power-off state (col. 7 lines 45-66),

wherein if said communication module receives frame data via said network (col. 8 lines 22-27), then said communication module determines whether the frame data is

addressed to the network connectable equipment or not (col. 8 lines 22-27), and issues a power-on request to the single power supply module if the frame data is determined to be addressed to the network connectable equipment and the network connectable equipment is in the power-off state (col. 8 lines 27-35),

wherein said power supply module receives said power-on request via said power control line, supplies power to said processing unit via said power supply line based on said power-on request (col. 8 lines 33-35), to cause the network connectable equipment to be in a power-on state (col. 8 lines 33-35), and not supplies power to said processing unit via said power supply line after said processing unit computer processing related to the frame data to cause the network connectable equipment to be in the power-off state (col. 7 lines 45-66 – the system clearly removes power at some point after processing of frames, thus the computer is in a dormant state at times).

Regarding claim 17:

Allard teaches:

said processing unit connected to said power supply line (Fig. 3 – 32 and col. 5 lines 39-43 – the power supply supplies power to the components and therefore a power supply line is necessarily present).

Regarding claim 18:

Allard teaches:

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wherein said single power supply module supplies power to said communication module even if portions other than said communication module are in a power-off state (col. 7 lines 61-66).

Regarding claim 19:

Allard teaches:

a power control line for connecting said communication module and said single power supply module (col. 7 lines 55-57), and

wherein said single power supply module supplies power to said processing unit via said power supply unit based on a power-on request sent from said communication module even if portions other than said communication module are in a power-off state (col. 7 lines 61-66 and col. 8 lines 22-35).

Regarding claim 20:

Allard teaches:

a power unit (Fig. 2 – 90);

a single power supply controller (Fig. 4 – 91,92);

a first line for connecting said power unit and said power supply controller (Fig. 4 – the power supply controller is part of the power unit as a whole. There are lines that connect the power supply controller to the actual power source, as seen in Fig. 4);

a communication module for connecting with a network (Fig. 5 – 110);

a second line for connecting said single power supply controller to a processing unit in said network connectable equipment (col. 5 lines 39-43 – the power supply supplies power to the components and therefore a power supply line is necessarily present); and

a third line for connecting said communication module and said power supply controller (col. 7 lines 55-57 and col. 8 lines 22-35),

wherein said power supply controller stops supplying electric power to the network connectable equipment other than said communication module if the network connectable equipment is in a power-off state (col. 7 lines 45-66),

wherein if said communication module receives frame data via said network (col. 8 lines 22-27), then said communication module determines whether the frame data is addressed to the network connectable equipment or not (col. 8 lines 22-27), and issues a power-on request to the single power supply module if the frame data is determined to be addressed to the network connectable equipment and the network connectable equipment is in the power-off state (col. 8 lines 27-35),

wherein said power supply controller receives said power-on request, supplies power to said processing unit via said power supply line based on said power-on request (col. 8 lines 33-35)

Regarding claim 21:

Allard teaches:

wherein said power supply controller supplies power to said communication module even if portions other than said communication module are in a power-off state (col. 7 lines 61-66).

Regarding claim 22:

Allard teaches:

said processing unit (Fig. 3 – 32), wherein if said power supply controller receives a power-on request via said third line (col. 8 lines 27-35), said power supply controller supplies power to said processing unit via said second line based on said power-on request (col. 8 lines 27-35).

Regarding claim 23:

Allard teaches:

wherein said power supply controller supplies power to portions other than said processing unit via said second line after it supplies power to said processing unit (col. 5 lines 39-43).

Response to Arguments

Applicant's arguments filed 3/6/07 have been fully considered but they are not persuasive.

Applicant has argued that Allard fails to teach a single power supply performing the methods of the claims. The examiner respectfully disagrees. In fact, applicant has

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pointed to the passage of Allard (col. 7 lines 61-66) that teaches such a limitation.

Allard states that the battery may be dispensed with if the power supply of the computer provides a suitable voltage level while the computer is "off." While applicant alleges that Allard is silent about eliminating the battery, that is clearly not the case. Dispensing with the battery and eliminating the battery are synonymous and thus Allard explicitly teaches eliminating the battery and using a single power supply, contrary to applicant's assertion concerning the cited section of Allard. The rejection is maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc Duncan whose telephone number is 571-272-3646. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on 571-272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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